

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

STATE FARM FIRE & CASUALTY CO.,	)	
as Subrogee of Mary Trang Nguyen,	)	
	)	
Plaintiff,	)	No.
	)	
v.	)	Judge
	)	
JESSIE B. KING and FEDERAL BUREAU	)	(Formerly case no. 2019SR000832,
OF INVESTIGATION, a Government	)	Circuit Court of DuPage County, Illinois)
Agency,	)	
	)	
Defendants.	)	

**NOTICE OF REMOVAL OF CIVIL ACTION**

To: Adam S. Long	Clerk of the Circuit Court of DuPage County
6833 Stalter Drive	Office of the Circuit Court Clerk
Rockford, Illinois 61108	505 County Farm Road
	P.O. Box 707
	Wheaton, Illinois 60187-0707

The United States, by its attorney, John R. Lausch, Jr., United States Attorney for the Northern District of Illinois, submits this notice of removal of the above-captioned civil action from the Circuit Court of DuPage County, Illinois, to the United States District Court, Northern District of Illinois, pursuant to 28 U.S.C. § 2679, and in support states the following:

1. On May 20, 2019, the plaintiff commenced the above civil action against defendants Jessie B. King and the Federal Bureau of Investigation in the Circuit Court of DuPage County, Illinois, alleging negligent operation of a motor vehicle. Copies of all process, pleadings and orders served upon the defendant are attached pursuant to 28 U.S.C. § 1446(a) as Exhibit A.

2. This Notice of Removal is filed in accordance with 28 U.S.C. § 2679(d) upon certification by the designee of the Attorney General of the United States that defendant Jessie B.

King was acting within the scope of his employment as a federal government employee at the time of the incident out of which the claim arose. *See* Certification attached as Exhibit B.

3. Notice of removal may be filed without bond at any time before trial. Trial has not yet been had in this action.

4. Pursuant to the Certification by the Attorney General's designee and the filing of this Notice of Removal, this civil action shall be deemed an action against the United States under 28 U.S.C. § 2679, and the United States shall be substituted as the party defendant.

WHEREFORE, this action now pending in the Circuit Court of DuPage County, Illinois is properly removed to this United States District Court pursuant to 28 U.S.C. § 2679(d).

Respectfully submitted,

JOHN R. LAUSCH, Jr.  
United States Attorney

By: s/ Ernest Y. Ling  
ERNEST Y. LING  
Assistant United States Attorney  
219 South Dearborn Street  
Chicago, Illinois 60604  
(312) 353-5870  
ernest.ling@usdoj.gov

## Exhibit A

STATE OF ILLINOIS

UNITED STATES OF AMERICA

COUNTY OF DU PAGE

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

STATE FARM FIRE & CASUALTY CO., as  
Subrogee of Mary Trang Nguyen,

PLAINTIFF

Address c/o Adam S. Long, 6833 Stalter Drive

City, State, Zip Rockford, IL 61108

VS

JESSE B. KING,

DEFENDANT

Address 480 ALEUT TRAIL

City, State, Zip CAROL STREAM, IL 60188

2019SR000832

CASE NUMBER

☒ MONEY DAMAGES ONLYPlaintiff shall check this box if seeking only  
money damages and no Attorney's fees.

SUMMONS

SC / SR

FOR IN-STATE DEFENDANT

☒ ORIGINAL ☐ DUPLICATE ORIGINAL ☐ ALIAS

To each defendant:

You are hereby Summoned and Required to appear before this Court at the DuPage County Judicial Center, 505 North  
County Farm Road, Wheaton, Illinois in Courtroom 2006 at 9am on 6-24-2019 to answer the  
complaint of the plaintiff(s), a copy of which is hereto attached.

If you fail to do so, a judgment by default may be taken against you for the relief asked in the complaint.

A Defendant may be able to avoid a court appearance if "MONEY DAMAGES ONLY" box is checked above.  
See "Installment Payment/Judgment Order" included with this summons and Complaint.

To the Officer

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and  
fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than thirty (30) days after its date.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account  
with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a  
service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

DATE OF SERVICE

TO BE INSERTED BY OFFICER ON COPY LEFT WITH DEFENDANT  
OR OTHER PERSONName: Adam S. Long / Barrick, Switzer ☐ Pro Se

DuPage Attorney Number: 10040

Attorney for: State Farm Fire &amp; Casualty Co.

Address: 6833 Stalter Drive

City/State/Zip: Rockford, IL 61108

Telephone Number: 815-962-6611

Email: subroservice@bslbv.com

WITNESS:

CHRIS KACHIROUBAS, Clerk of the Eighteenth  
Judicial Circuit Court, and the seal thereof, Wheaton,  
Illinois

Electronically Issued

Date: 05/20/2019  
By: Chris Kachiroubas  
nth CHRIS KACHIROUBAS, Clerk

## NOTICE TO PLAINTIFF or PLAINTIFF

When preparing the above summons, you will insert a return day not less than 14 nor more than 14  
day for (SC & SR) Monday through Friday. If "Money Damages Only" box is checked  
Payment/Judgment Order" with the Summons and Complaint to be served on defendant.

4529500

## NOTICE TO PARTIES

Parties are required to appear on the return date. If you fail to appear on the return date shown above, your case may be dismissed for want of  
prosecution. If the defendant denies the claims set forth in the complaint, a future trial date will be set. The case will not be heard for trial on  
the date stated above.CHRIS KACHIROUBAS, CLERK OF THE 18th JUDICIAL CIRCUIT COURT @  
WHEATON, ILLINOIS 60187-0707



STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
COUNTY OF DUPAGE

STATE FARM FIRE & CASUALTY CO., as )  
Subrogee of Mary Trang Nguyen, )

Plaintiff, )

vs. )

JESSE B. KING and FEDERAL BUREAU  
OF INVESTIGATION, a Government  
Agency, )

Defendants. )

Case No. 2019SR000832

*Chris Kachiroubas*  
Filed in the 18th Judicial Circuit Court  
DuPage County #00000000  
TRAN# : 170431230117/ ( 4529500 )  
2019SR000832  
FILEDATE: 05/20/2019  
Date Submitted : 05/20/2019 05:15 PM  
Date Accepted : 05/21/2019 11:10 AM  
KUFER JAMES  
12-16-2019 rm2006 915am

**SMALL CLAIMS COMPLAINT**

1. The Defendants are indebted to the Plaintiff in the sum of \$7,641.33, plus costs of suit, for property damages caused to the insured's vehicle, for rental expenses incurred and for the deductible paid by the insured as a result of an automobile accident on or about May 30, 2017 in Wheaton, Illinois.

2. At the time of the aforesaid automobile accident, Defendant Jesse B. King had a duty to operate the vehicle he was driving with ordinary care as a reasonably careful person would do under similar circumstances. Defendant Jesse B. King breached said duty and was guilty of one or more of the following negligent acts and/or omissions: (a) failed to yield when required; (b) failed to stop when required; (c) drove too fast for conditions; (d) failed to keep an adequate and proper distance between his vehicle and the vehicle directly in front of him; (e) failed to reduce speed to avoid an accident; (f) failed to keep a proper lookout; and (g) was otherwise careless and/or negligent.

3. At the time of the aforesaid automobile accident, Defendant Jesse B. King was acting as an employee, agent, or otherwise on behalf of or for the benefit of the Federal Bureau of Investigation, a Government Agency, and Defendant Jesse B. King was guilty of one or more of the following negligent acts and/or omissions: (a) failed to yield when required; (b) failed to stop when required; (c) drove too fast for conditions; (d) failed to keep an adequate and proper distance between his vehicle and the vehicle directly in front of him; (e) failed to reduce speed to avoid an accident; (f) failed to keep a proper lookout; and (g) was otherwise careless and/or negligent.

4. The Plaintiff has demanded payment of said sum; that the Defendants refused to pay the same and no part thereof has been paid.

WHEREFORE, the Plaintiff prays this Court enter a Judgment in its favor and against the Defendants in the amount of \$7,641.33, plus costs of suit.

The Defendant, JESSE B. KING, resides at 480 Aleut Trail, Carol Stream, IL 60188; Phone No. 312-718-4930.

The Defendant, FEDERAL BUREAU OF INVESTIGATION, a Government Agency, is located at 2111 West Roosevelt Road, Chicago, IL 60608; Phone No. 312-829-5579.

The Plaintiff, STATE FARM MUTUAL AUTOMOBILE INS. CO., as Subrogee of Mary Trang Nguyen, is located at c/o Adam S. Long, 6833 Stalter Drive, Rockford, IL 61108, Phone No. 815-962-6611.

## VERIFICATION

Under the penalties of perjury as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Dated: May 20, 2019

  
ADAM S. LONG

Name: Adam S. Long - #10040  
Attorney For: Plaintiff  
Address: 6833 Stalter Drive  
City: Rockford, IL 61108  
Telephone: (815) 962-6611  
Email: [Subroservice@bslbv.com](mailto:Subroservice@bslbv.com)

**NOTICE PURSUANT TO THE  
FAIR DEBT COLLECTION  
PRACTICES ACT**

**15 U.S.C. Section 1601 as Amended**

1. The amount of the debt is stated in the Complaint attached hereto.
2. The Movant named in the attached Complaint is the creditor to whom the debt is owed or is the servicing agent for the creditor whom the debt is owed.
3. Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume the debt is valid.
4. If you notify this office in writing within 30 days after receiving this notice, this office will obtain verification of the debt and mail you a copy of such verification.
5. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.
6. Nothing in this notice should be construed as an agreement by the Movant to extend or stay any time periods established by law with respect to the litigation which is the subject of the attached Complaint.
7. Written requests should be addressed to Adam S. Long, Barrick, Switzer, Long, Balsley & Van Evera, 6833 Stalter Drive, Rockford, IL 61108.
8. Please be advised that this is an attempt to collect a debt. Any information obtained will be used for that purpose.

Adam S. Long - #10040  
**BARRICK, SWITZER, LONG,  
BALSLEY & VAN EVERA**  
6833 Stalter Drive  
Rockford, IL 61108  
815-962-6611  
[Subroservice@bslbv.com](mailto:Subroservice@bslbv.com)

## Exhibit B



### **CERTIFICATION**

Pursuant to the provisions of 28 U.S.C. § 2679, as amended, and by virtue of the authority delegated to me by the Attorney General under 28 C.F.R. § 15.4 and through the United States Attorney for the Northern District of Illinois, I hereby certify that I have read the complaint in *State Farm Fire & Casualty Co., as subrogee of Mary Trang Nguyen, v. Jesse B. King, et al.*, No. 2019 SR 000832 (Circuit Court of the Eighteenth Judicial Circuit, County of DuPage, Ill.), and that on the basis of the information now available with respect to the incidents referred to therein, I certify that Jesse B. King was acting within the scope of his employment as an employee of the United States at the time of the incidents out of which the claim arose.

s/ Thomas P. Walsh  
\_\_\_\_\_  
THOMAS P. WALSH  
Chief, Civil Division  
Office of the United States Attorney  
for the Northern District of Illinois

Date: June 24, 2019